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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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In re SKAT Tax Refund Scheme
Litigation

18 Civ. 4047 (LAK)
(And related cases)

Conference

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New York, N.Y.
June 26, 2018
11:05 a.m.

Before:

HON. LEWIS A. KAPLAN,
District Judge

APPEARANCES

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BY: EDWARD M. SPIRO, ESQ.

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(Case called)

THE COURT: Good morning, everybody.

ALL COUNSEL: Good morning.

THE COURT: Who's going to speak on behalf of the plaintiffs?

MR. WEINSTEIN: Marc Weinstein from Hughes Hubbard & Reed, your Honor. Good morning.

THE COURT: Good morning.

And for the defendants?

MR. ALLISON: Good morning, your Honor. Mark Allison for a group of about 45 or so defendants, but I've been asked to speak for everybody this morning.

THE COURT: Okay. Fine.

All right, then. I've read a few of these complaints, but I think it would be helpful to get some basic information so I have some idea where we ought to be going.

First of all, how many of these cases are there, Mr. Weinstein?

MR. WEINSTEIN: Your Honor, there are 49 filed and assigned to your Honor in the Southern District; in total in federal court, there are 140. There are ten other districts where there are cases filed. Your Honor has the most of those. And there are a few state court cases.

THE COURT: How many other? Oh, you said ten other districts?

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1 MR. WEINSTEIN: Ten other districts, yes.

2 THE COURT: Of the ten other districts, which one has
3 the largest number of cases and how many?

4 MR. WEINSTEIN: The District of New Jersey, there's 36
5 filed cases.

6 THE COURT: And who are they before, or are they
7 spread out?

8 MR. WEINSTEIN: No, I think, your Honor, they were
9 assigned to one judge, I believe in Trenton. And I just at the
10 moment don't have the name of the judge in front of me.

11 THE COURT: Are plaintiffs the same in all these
12 cases?

13 MR. WEINSTEIN: Yes, your Honor.

14 THE COURT: And why are they spread all over the
15 country?

16 MR. WEINSTEIN: For jurisdictional reasons, your
17 Honor. As far as personal jurisdiction, we want to ensure that
18 we're filing in a district in which we did not believe any
19 defendant would have a personal jurisdiction argument.

20 THE COURT: Is there an MDL motion pending?

21 MR. WEINSTEIN: There is not one pending, your Honor,
22 but it is certainly under consideration.

23 THE COURT: Are defendants likely to move or who's
24 going to move?

25 MR. ALLISON: Your Honor, we do expect to move for

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1 dismissal on all these cases.

2 THE COURT: I'm talking about multidistrict.

3 MR. ALLISON: Oh, I'm sorry. It is something that we
4 are talking about internally, your Honor, but I think that we
5 are wanting to see where this goes in terms of an initial
6 motion to dismiss before we evaluate whether to do that.

7 THE COURT: Before you?

8 MR. ALLISON: Before we evaluate where we're going to
9 go from there. Obviously if the case --

10 THE COURT: So you're going to have motions to dismiss
11 in 11 districts?

12 MR. ALLISON: We prefer to obviously have one
13 consolidated motion to dismiss, but at this juncture, because
14 we've got different schedules in different districts, some are
15 more pregnant than others.

16 THE COURT: Some are?

17 MR. ALLISON: I'm not sure the timing will work to do
18 that.

19 THE COURT: What do you mean some are more pregnant
20 than others? I thought that was a binary problem.

21 MR. ALLISON: Well, I guess that's yet to be decided,
22 your Honor. We have some cases with response dates that have
23 already been set.

24 THE COURT: Response dates; that is to say, responses
25 to the complaint, answers to the complaint?

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1 MR. ALLISON: Yes, correct, your Honor. So we're
2 already set with some dates in some districts; others, like
3 this one, we don't have a date certain yet, so I'm not sure how
4 we would coordinate that, but obviously it's in our interests
5 to try to develop an efficient mechanism to dispose of all the
6 cases for sure.

7 THE COURT: Are there any defendants who would have a
8 problem consenting to 1404 transfers and waiving whatever
9 personal jurisdiction or venue issues might exist?

10 MR. ALLISON: It's not a question we've asked, your
11 Honor. I'm not aware that there would be any specific problem,
12 but we have not asked that question.

13 THE COURT: Well, I suggest you do.

14 MR. ALLISON: Sure.

15 THE COURT: It strikes me as making very little sense
16 to have two or six or eleven districts dealing with motions to
17 dismiss on what I haven't asked yet but assume are likely to be
18 common grounds.

19 MR. ALLISON: Agreed, your Honor. Agreed.

20 THE COURT: And is my assumption right that the
21 grounds would likely be common?

22 MR. ALLISON: As far as we can tell, they would be the
23 same in every district, yes.

24 THE COURT: Okay. So let's jump ahead. Tell me what
25 that might be.

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1 MR. ALLISON: Well, I think, first of all, your Honor,
2 as you can tell from the complaints, SKAT is a Danish taxing
3 authority that is seeking collection of amounts that it alleges
4 are unpaid in Denmark. This obviously invokes the revenue
5 rule, which I'm sure your Honor is familiar with.

6 THE COURT: I've heard of it.

7 MR. ALLISON: I'm sure you have. And we're aware of
8 that. So obviously that's going to be a principal issue.

9 In addition, your Honor, without being specific, a
10 number of the cases or possibly all of them are in the middle
11 of administrative proceedings back in Denmark, at various
12 levels, where there has either not been a final determination
13 or there are ongoing appeal rights that are being currently
14 exercised or will be timely exercised in Denmark. So obviously
15 there's an element of this being premature, in our view.

16 And then of course there are issues about whether
17 there's been a proper -- or a failure to state a claim here
18 properly. Particularly given that this is a fraud case, we're
19 concerned about the lack of particularities in the complaints.

20 THE COURT: Well, tell me what the concern about that
21 is.

22 MR. ALLISON: Specifically, in these complaints, your
23 Honor?

24 THE COURT: I read at least a number of the
25 complaints, and I thought that the fraud claim -- and no doubt

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1 you'll correct me, but I thought the fraud claim was that a
2 representation was made by or on behalf of every single
3 defendant to the effect that the person who ultimately received
4 the payment had paid, had obtained a refund premised on their
5 ownership of stock in Danish companies, when in truth and in
6 fact they didn't own the stock that they claimed, right?

7 MR. ALLISON: That is the generalized explanation that
8 you do see in every complaint.

9 THE COURT: What's the lack of particularity about
10 that?

11 MR. ALLISON: The lack of particularity is as it
12 relates to each individual defendant and what their particular
13 conduct was, what their particular knowledge was, and how or
14 whether they knew of this allegation, assuming it's even true.

15 THE COURT: Okay. I understand that. Not so much
16 perhaps what the substance of the allegedly fraudulent
17 representation was, but scienter, basically, right?

18 MR. ALLISON: Correct, your Honor.

19 THE COURT: Okay. All right. Let's see. Thank you,
20 Mr. Allison.

21 MR. ALLISON: Thank you.

22 THE COURT: Mr. Weinstein, what do you have to say?

23 MR. WEINSTEIN: That's an open-ended question.

24 First, just on the status of the various proceedings,
25 your Honor, this is the first conference before any of the

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1 district court judges, so there actually haven't been schedules
2 set in any case. There was an agreement in one of the
3 districts, on consent, to set a response date of July 27th.
4 But there have been no --

5 THE COURT: This is for answers or motions.

6 MR. WEINSTEIN: Or motions, yes. But there have been
7 no other scheduling orders issued by any of the other courts.

8 With respect to motions, they have motions to make,
9 obviously we'll respond to those, but we feel the cases should
10 proceed and not just --

11 THE COURT: And the your revenue rule argument is it's
12 not a tax collection case, it's essentially a commercial fraud
13 case, in which the plaintiff happens to be a government agency.

14 MR. WEINSTEIN: Correct.

15 THE COURT: Okay. So I have the picture.

16 MR. WEINSTEIN: Yes, your Honor.

17 I should add, your Honor, just as far as status goes,
18 if we're up to this, we have actually had a chance to discuss
19 with I think almost all of the defense attorneys here -- one
20 has appeared this morning, so I'm not sure he's had a chance to
21 look. But we have an agreed-upon case management order, based
22 on your Honor's order, that we can propose to the Court. All
23 parties have agreed to it other than perhaps one who might not
24 have had a chance, but --

25 THE COURT: Do you have it to hand up?

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1 MR. WEINSTEIN: I can hand up a copy, your Honor, yes.

2 THE COURT: Thank you.

3 MR. WEINSTEIN: And in addition to that, your Honor,
4 because it's not on that order, I think we've all agreed that
5 the response date here of an answer or motion would be
6 August 15th.

7 MR. ALLISON: Yes, that's correct. And your Honor, I
8 think that would be an omnibus submission amongst all the
9 defendants.

10 THE COURT: I'm sorry. A response date to a motion or
11 the date by which the motion is to be filed?

12 MR. WEINSTEIN: To be filed, either answer or motion.

13 THE COURT: Well, I take it you're going to move
14 against the complaint, right?

15 MR. ALLISON: Well, just based on what I explained,
16 your Honor, yes, I would expect to.

17 THE COURT: Yes, right.

18 Now this form of order that you handed up lists 10
19 cases, right, out of the 49 assigned to me. Why?

20 MR. WEINSTEIN: It's one of the orders that issued
21 from the Court, because this was going to be just a proposal
22 for your Honor to -- which we've handed it up on this form, but
23 it would apply across all 49, and we would fill those out
24 accordingly if your Honor approves the schedule.

25 THE COURT: Okay. Now since both sides are

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1 contemplating the possibility of MDL motions, we'll start with
2 you, Mr. Weinstein. What's common and what's different about
3 these cases?

4 MR. WEINSTEIN: There is quite a lot of commonality,
5 actually, your Honor. There is not a lot of difference.
6 Obviously there may be some nuances on the edges of the facts,
7 but essentially in all the cases they filed the same forms,
8 they all had the same, you know, things that went in with the
9 form, the same power of attorneys, the same proof of ownership,
10 or purported proof of ownership, and they all got refunds back
11 in return. So there is certainly commonality in the facts.

12 THE COURT: So because I want to understand, when you
13 say they filed the same forms, is it correct for me to infer
14 that each and every one of them claimed to own stock in the
15 Danish company in question? The particular company varied, but
16 they each made the same claim with respect to the stock, and
17 it's your position that that was a false representation or an
18 inaccurate representation, putting to one side the question for
19 the moment whether it was fraudulent?

20 MR. WEINSTEIN: That's right.

21 THE COURT: Okay. Now is there likely, Mr. Allison,
22 to be any dispute about the fact that although the
23 representation in each case was about a different company or
24 companies, or at least a multitude of companies, that the
25 representation was made because it was there on the form and

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1 somebody signed it, right?

2 MR. ALLISON: Well, I can't say for certainty, your
3 Honor, that that's true in every case because we haven't done
4 our own diligence to evaluate that. I don't dispute the sort
5 of common pattern that plaintiff is suggesting. That may or
6 may not be the case. But what I don't know is the nature of
7 the representations that may have been made, whether that was
8 the same representation made in every case. Again, there are
9 knowledge issues, scienter issues.

10 THE COURT: That's a different question. I'm just
11 focused on the assertion that they owned stock in the Danish
12 company.

13 MR. ALLISON: We don't know that across the board,
14 your Honor, at this point.

15 THE COURT: Okay. Do you have any information to the
16 effect that it was any different? What I'm hearing from
17 Mr. Weinstein essentially is that there was a standard practice
18 and there was a form that had to be filled out and the form had
19 to say X. Just like if you pay withholding tax on an employee,
20 it says, I have the following employees and here's what I paid
21 them this month, and here's the tax I owed. And if somebody
22 leaves an employee off, well, the statement at the end that
23 this is the fact is wrong. It may be for a different employee.
24 But you followed a pattern.

25 MR. ALLISON: I have no reason to doubt the

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1 representation that that is the common thread amongst all these
2 cases, but I don't know that for sure.

3 THE COURT: So we're going to have some individual
4 issues with respect to knowledge and scienter in respect of the
5 fraud claim; there are also other theories, I understand, in
6 which that may not be an essential element, right?

7 MR. ALLISON: Correct.

8 THE COURT: Okay. Mr. Weinstein, is there any claim
9 that there was a common scheme to do this that links these
10 cases?

11 MR. WEINSTEIN: Yes, in various ways. For example,
12 before your Honor alone, I believe in 21 of the cases, Roger
13 Lehman is a named defendant because he was the authorized
14 representative signing some of the forms on behalf of 21
15 different plans, so certainly as to him, there's commonality.
16 I think there are other links. And then it is quite possible,
17 but I think discovery will show that there are higher-level
18 links of people who may not have been sued yet.

19 THE COURT: Higher level meaning what?

20 MR. WEINSTEIN: There have certainly been reports in
21 the press that there's an individual named Sanjay Shah who sort
22 of masterminded this whole thing. Whether he is actually
23 linked to all of the, at the moment, 140 plans that have been
24 sued in federal court, we don't know and discovery will show,
25 but --

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1 THE COURT: Has he been sued?

2 MR. WEINSTEIN: Not in the US.

3 THE COURT: Where is he?

4 MR. WEINSTEIN: Where is?

5 THE COURT: Where is he?

6 MR. WEINSTEIN: There are reports that he's in I
7 believe Dubai, and that I think he was a British citizen but
8 has since made his way to Dubai.

9 THE COURT: Do your complaints allege that these
10 refund claims, all or mostly or to some degree, ultimately are
11 traceable back to some bright idea that Mr. Shah or somebody
12 else or some small group had?

13 MR. WEINSTEIN: They don't. There are certainly
14 things we don't know that only discovery will show as to links
15 to Mr. Shah. I think what the complaints do allege, your
16 Honor, is that each of these essentially mirror each other in
17 how they were effectuated, but as to whether they are, one or
18 more, linked to Mr. Shah, we don't make those allegations in
19 the complaint.

20 THE COURT: Putting aside whether you allege that it
21 was Mr. Shah, is it your suggestion that circumstantially it
22 appears that there was a common source of this idea?

23 MR. WEINSTEIN: It certainly does appear that way, and
24 so I think it's an educated guess that for at least many of
25 these, there is a common link; maybe not all, but for many.

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1 THE COURT: So is discovery likely to pursue the
2 question of the source of the idea or are you just fighting the
3 refund issues?

4 MR. WEINSTEIN: No, I think discovery is meant to
5 address both, one of fighting the refunds with the named
6 defendants but also determining if there are unnamed parties
7 out there who should be sued.

8 May I also just add, your Honor, because you had asked
9 me earlier about commonalities or differences.

10 THE COURT: Right.

11 MR. WEINSTEIN: I think we've been addressing the
12 factual issues. As far as potential differences, just on the
13 legal issues, is the fact that the claims here are state law
14 claims, so while they are all similar in the various districts,
15 there may be, based on choice of law, different state laws
16 applying I think to claims brought in the different courts.

17 THE COURT: There might be an argument that Danish law
18 applies, mightn't there?

19 MR. WEINSTEIN: There might be, but I just want to
20 bring to your Honor's attention --

21 THE COURT: No, no. I appreciate that you did that.

22 So potential differences involve scienter on the part
23 of individual defendants, as to the fraud count, not
24 necessarily on other counts; potential choice of law problems
25 that may result in different law. Anything else?

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1 MR. WEINSTEIN: I think those are the main ones, your
2 Honor.

3 THE COURT: What about you, Mr. Allison? Anything
4 else that I've missed?

5 MR. ALLISON: In terms of differences, your Honor?

6 THE COURT: Yes.

7 MR. ALLISON: Again, until we have the opportunity to
8 get into the facts of each defense situation, I think we're
9 unable to identify that at this point.

10 THE COURT: Okay. Now is there any reason why at
11 least all of the cases before me should not be consolidated for
12 pretrial purposes?

13 MR. WEINSTEIN: Not from our perspective, your Honor.

14 MR. ALLISON: I think we're comfortable with that,
15 your Honor, at least at this point, and pending the outcome of
16 a motion to dismiss.

17 THE COURT: Pending the outcome of?

18 MR. ALLISON: The motion to dismiss.

19 THE COURT: Okay. How many defense counsel, all
20 told -- different firms, I don't mean different human beings --
21 represent defendants in the 49 cases before me?

22 MR. WEINSTEIN: I believe it's four. And there is
23 only one defendant in any of those cases who has not had an
24 appearance made by defense counsel. And I can tell your Honor
25 which case that is. It's the case against the Raubritter, LLC

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1 pension plan.

2 THE COURT: Hit me again with that, please.

3 MR. WEINSTEIN: Yeah. It's the Raubritter, LLC
4 pension plan, R-A-U-B-R-I-T-T-E-R. The civil number is 04833.

5 THE COURT: Can't be 04.

6 MR. WEINSTEIN: I'm sorry. I mean, it's 18, but after
7 the CV is --

8 THE COURT: Okay. After the CV, 04?

9 MR. WEINSTEIN: 04833. The individual defendant in
10 that case, Adam LaRosa, has been served. He has counsel
11 representing him here today, Mr. Spiro, but my understanding is
12 that he's not appearing for the plan. And so that's the only
13 defendant that has no counsel appearing and that we have not
14 been able to serve yet, and I believe Mr. Spiro is not
15 authorized to accept service. So that's the only outlier for
16 the 49 cases.

17 THE COURT: Not authorized to accept service on behalf
18 of the plan, is that right?

19 MR. WEINSTEIN: That's what I understand.

20 THE COURT: Okay. How many different federal judges
21 have at least one of these cases before them?

22 MR. WEINSTEIN: Eleven.

23 THE COURT: Well, it's eleven districts. Are there
24 multiple cases all assigned to a single judge in each district?

25 MR. WEINSTEIN: I believe so, your Honor. Excuse me.

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1 I believe so, your Honor.

2 THE COURT: Okay.

3 MR. WEINSTEIN: If your Honor would like, obviously I
4 can't do it now, but we can submit to the Court a list of all
5 the cases that are pending in the federal courts.

6 THE COURT: Yes, that would certainly be helpful.

7 MR. WEINSTEIN: And the assigned judges and the
8 districts.

9 THE COURT: That's great.

10 Now what I'm inclined to do is to consolidate all 49
11 of the cases before me for pretrial purposes, to set a motion
12 schedule for the motion to dismiss so we can get that on and
13 decided as soon as we can, reasonably. I'll take a look at the
14 discovery schedule and the case schedule you've proposed, but
15 nothing crazy jumped out at me when I just ran my eye over it.
16 And get that on file this week.

17 And I simply express my view that it probably doesn't
18 make a whole lot of sense to brief and argue what sounds to me
19 like essentially the same motion to dismiss in two or four or
20 eight different districts with ten or eleven different
21 districts. I suppose you could do that if you want, but I
22 don't know what the point of it is, frankly. Very expensive
23 for sure, and potentially chaotic, because if there are
24 dismissals in some districts and denials in other districts,
25 you could find yourself in I'm not sure how many different

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1 circuits at the same time, and it's a recipe for big legal
2 bills and uncertainty. I know that doesn't break the hearts of
3 all the lawyers in the audience. I haven't forgotten those
4 days myself.

5 Okay. Anything else anybody wants to say or tell me
6 or do to educate me?

7 MR. WEINSTEIN: Your Honor, I'm not sure I can do any
8 more education, but as far as the schedule goes, in order to
9 meet at least the schedule we proposed, it's our understanding
10 that discovery should proceed as it would in a normal case, and
11 I understand they're going to make motions but that there's no
12 reason to hold off on discovery here.

13 THE COURT: Mr. Allison?

14 MR. ALLISON: Mr. Weinstein has accurately predicted
15 our concern here. We would like to stay discovery.
16 Particularly given the fact that this is, in our view, a
17 revenue-rule-based issue on a motion to dismiss, seems we're
18 jumping the gun to engage in discovery.

19 In particular, I just want to note, your Honor, that
20 because of the ongoing administrative proceedings going on in
21 Denmark, we equally have a concern about discovery at this
22 point being used to develop cases in Denmark, so we would very
23 much prefer, as well as from a resource perspective, to hold
24 back discovery at this point.

25 THE COURT: Well, the first part of your argument, I

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1 understand, and I suppose it would not hurt -- although I'll
2 hear from Mr. Weinstein about it -- to hold off till say the
3 third week in August on discovery and then let me see the
4 motion and see what I think about it, and I could reconsider
5 the question of whether to let discovery go ahead once I read
6 it.

7 This subject, I'm sure you all know, because of the
8 *RJR* case is not new to me, and it's an interesting twist on the
9 *RJR* case, and I'm not sure which way it comes out, but I'll
10 have a better idea when I read the defendants' papers. And any
11 reason why we shouldn't hold off for whatever it is, six weeks
12 or so? And I wouldn't stop you from serving requests, and if
13 there are any reasons that something had to be preserved in the
14 interim, like a witness was sick or something, we could always
15 make exceptions like that, but then let me look at the motion
16 and we can make another call on it at that point.

17 MR. WEINSTEIN: Yes and no. If we're talking -- we
18 are not intending to, you know, take depositions by mid August
19 so that if that's the issue, of course, that's not a problem,
20 and we do need some time to serve discovery requests. What I
21 wouldn't want to happen is them to just delay starting to
22 prepare responses or what have you or get documents together
23 because they're assuming there's a stay. Because --

24 THE COURT: Well, but you made a very good point, and
25 I'm sorry to interrupt. But are there any outstanding document

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1 requests or interrogatories yet?

2 MR. WEINSTEIN: There are not, your Honor.

3 THE COURT: So it's going to take you at least two
4 weeks to put them together, right? So we're after the Fourth
5 of July before they go out. And responses wouldn't be due
6 until after the 4th of August. So what are we talking about
7 here, two weeks?

8 MR. WEINSTEIN: No. And what I mean by that is, then
9 they'll file their motions, and what we don't want to hear, if
10 your Honor agrees that discovery should go forward, is, we need
11 an additional month or so to respond than we otherwise would
12 have because we haven't been doing anything because we're
13 hoping there's a stay.

14 THE COURT: Look, I think the way to deal with that is
15 as follows. You can serve your requests and the defense will
16 respond in the ordinary course, 30 days, or whatever else you
17 agree to, after you get the requests. I'm talking about the
18 written discovery. The question of when you will produce the
19 documents, assuming discovery is going to go forward after the
20 middle of August, is a separate question from your getting your
21 written responses to the document requests and any objections
22 there may be to the interrogatories, if there are any, served.
23 What about that?

24 MR. WEINSTEIN: I think that makes sense.

25 Let me just add, just so your Honor understands, at

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1 least one of our concerns with delay is that, as we discussed
2 earlier, there are potentially additional parties here to join.

3 THE COURT: I understand.

4 MR. WEINSTEIN: We put a proposed schedule for that in
5 the order, which assumes the at least receipt of all the
6 documents from defendants so that we can make that
7 determination, at least from the documents, and we don't want
8 to delay that either, so we'd like to pursue those parties if
9 they exist, and we'll need the discovery to do that.

10 THE COURT: Well, sure, I understand that. But I
11 think that's not inconsistent, given where we are on the
12 calendar right now and the built-in periods of time that are
13 needed to formulate the discovery requests and to get any
14 objections on file. There's just no inconsistency there.
15 We're talking about a very short period of time to give me the
16 opportunity to receive and look at the motion papers on the
17 motion to dismiss and make a decision about whether I think
18 there's sufficient merit there to delay the actual production
19 of documents and answers to interrogatories pending the outcome
20 of the motion or not. And nobody should necessarily understand
21 that a ruling to stay -- we'll wait for the actual production
22 of information or that we're not going to wait -- as being a
23 ruling on the motion on the merits. It's going to be a
24 practical assessment of what I think is practical among all the
25 circumstances.

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1 Now the second part of what you said, Mr. Allison, had
2 to do with use of any discovery in respect of whatever is going
3 on in Denmark. Given what I've laid out, I think at least for
4 the moment that's academic, right?

5 MR. ALLISON: Yes, your Honor. Although I do want to
6 clarify your suggestion on what we would do in the interim. If
7 what you meant was that we would provide objections or any
8 objections to the interrogatories during the period prior to
9 the motion, I think that's certainly workable, your Honor. If
10 the corollary to that was that we do not provide responses to
11 the interrogatories and document production until after you've
12 had a chance to evaluate or initially evaluate the motion, I
13 think that's a workable --

14 THE COURT: That's exactly what I had in mind.

15 MR. ALLISON: Great. Yeah.

16 THE COURT: Okay. All right. If there's nothing else
17 then, I will put this together into an order and we'll see
18 where we go.

19 And you know the multidistrict panel, with which I
20 have some vague familiarity, doesn't necessarily move with high
21 speed. There are two-month intervals between hearings. And so
22 if there's going to be such an application, the sooner it gets
23 on file, the better off everybody is from the standpoint of
24 moving all the cases forward.

25 Okay. Anything else?

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1 MR. WEINSTEIN: Not from plaintiff, your Honor. Thank
2 you.

3 MR. ALLISON: No, your Honor.

4 THE COURT: Okay. Thank you.

5 THE DEPUTY CLERK: All rise.

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